

# ON THE LEFT... C. B. R.

**In the Geneva Spirit.** American Communists have been quick to exploit the mythical "Spirit of Geneva" to their own advantage. Before the U.S. Court of Appeals in the case of Claude Lightfoot, convicted Communist leader, John J. Abt, counsel, cited in sworn testimony as a former member of an underground cell of the Communist Party operating in Washington, D. C., argued that the easing of international tensions had weakened the government's charge that the defendant represented a "clear and present danger" to the United States. He posed the question whether "calmer times" had now arrived.

**Red Tribulations.** Since 1950 the Communist Party has suffered a loss of 10 per cent in membership each year, according to a report to a recent New York State Committee conference of the party. Particularly heavy were the losses among Negro and Puerto Rican members.

**For Service Rendered.** David Alfaro Siqueiros, Mexican muralist, who was involved in one of the attempts to assassinate Leon Trotsky, has been commissioned to decorate Communist Warsaw's newly built Tenth Anniversary Stadium, according to the Polish Ministry of Culture and Art.

**Dust Thou Art, and unto Dust Shalt Thou Return.** Unnoticed by all except the *Daily Worker*, the New York Council of the Arts, Sciences and Professions was quietly buried at a membership meeting held at 35 West 64th Street early in November. In its deathbed message it announced that it had voted "to close a proud chapter in the cultural and political life of the nation." The Council was part of the Independent Citizens Committee of the Arts, Sciences and Professions (ICCASP), which was unpopularly known as HICCUPS.

We present as a suitable epitaph the testimony of Louis F. Budenz, who was formerly managing editor of the *Daily Worker*:

The Independent [Citizens] Committee of the Arts, Sciences and Professions was worked out originally in my

office in the *Daily Worker*. It was worked out by the cultural commission of the *Daily Worker*, of which Lionel Berman, the cultural section organizer of the [Communist] party was a member, and he was entrusted not only by that meeting but by the political committee [of the party], as a result of these discussions with the task of forming the Independent Citizens Committee of the Arts, Sciences and Professions.

**Little Red Schoolhouse.** Among those listed as patrons of a benefit performance of "No Time for Sergeants" for the Little Red Schoolhouse in New York City are Governor W. Averell Harriman and Mrs. Franklin D. Roosevelt. It will be recalled that when Randolph Belmont Smith, director of this well-known model school, appeared before a congressional committee, he invoked the Fifth Amendment in refusing to answer questions as to his Communist Party membership. His wife, Grace Gilbert Smith, one-time supervisor of the state nursery school program and later district director of the all-day neighborhood schools program under the auspices of the Public Education Association, invoked the same privilege.

**Never Say Die.** Neither the House Judiciary Committee nor that of the Senate has taken cognizance of the nation-wide challenge of the Communists and their followers to existing security legislation. A "Friends of the Court" brief filed with the U. S. Supreme Court attacks the validity of state sedition laws in Florida, Kentucky, New Hampshire and Massachusetts. *The Atom Spy Hoax* by William A. Reuben, which is widely publicized by the Communist press, even goes so far as to open up cases long since closed.

The audacity of this challenge is disclosed by the following items from its table of contents: "Canada: The Atom Spy Plot That Never Was"; "Klaus Fuchs: The Evidence Was in the Headlines"; "Harry Gold: 'I Lied Desperately'"; "Julius Rosenberg: A Jello Box-Top Was the Clue." It is reported that Virginius Frank Coe and William L. Ullman will imitate Alger Hiss in writing articles disputing the charges made against them

by Elizabeth Bentley and Whittaker Chambers, as part of a systematic attempt to weaken American faith in our judicial system and in Congress.

**Lesson.** Harry Sacher will be remembered as the attorney who continually harassed Judge Harold R. Medina during the trial of the eleven Communist leaders in 1949. Judge Medina imposed a sentence of six months upon Sacher for contempt of court, and the latter subsequently was disbarred. The Court of Appeals held that

The record discloses a judge, sorely tried for many months of turmoil, constantly provoked by useless bickering, exposed to offensive slights and insults, harried by interminable repetition, who, if at times he did not conduct himself with the imperturbability of a Rhadamanthus, showed considerably greater self-control and forbearance than it is given to most judges to possess.

What is not generally known is the flagellation of this eminent jurist by members of the U.S. Supreme Court when Sacher's conviction for contempt was reversed.

*Justice Hugo Black:* Yet from the very parts of the record which Judge Medina specified, it is difficult to escape the impression that his inferences against the lawyers were colored, however unconsciously, by his natural abhorrence for the unpatriotic and treasonable designs attributed to their Communist leader clients. . . . Are defendants accused by judges of being offensive to them to be conclusively presumed guilty on the theory that judges' observations and inferences must be accepted as infallible?

*Justice Felix Frankfurter:* Truth compels the observation, painful as it is to make it, that the fifteen volumes of oral testimony in the principal trial record numerous episodes involving the judge and defense counsel that are more suggestive of an undisciplined debating society than of the hush and solemnity of a court of justice. . .

*Justice William O. Douglas:* I agree with Mr. Justice Frankfurter that one who reads the record will have difficulty in determining whether members of the bar conspired to drive a judge from the bench or whether the judge used the authority of the bench to whipsaw the lawyers, to taunt and tempt them, and to create for himself the role of the persecuted. . .

The lesson which Communist lawyers will draw from the Supreme Court's decision regarding the conduct of Harry Sacher is: go and do likewise.



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